

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:12-CR-00236-F-1

No. 5:15-CV-00435-F

DAVID NEIL PHILLIPS, )  
Petitioner, )  
)  
v. )                   O R D E R  
)  
UNITED STATES OF AMERICA, )  
Respondent. )

This matter is before the court on David Neil Phillips's pending Application to Proceed in District Court without Prepaying Fees or Costs [DE-105]. Phillips is under the mistaken impression that there are fees associated with the filing of a § 2255 motion. There are no fees associated with filing a § 2255 motion, and Phillips's § 2255 motion will proceed without the need for him to pay any filing fees. Accordingly, Phillips's pending Application to Proceed in District Court without Prepaying Fees or Costs [DE-105] is DISMISSED as moot.

SO ORDERED.

This the 31 day of August, 2015.

James E. Fox  
James C. Fox  
Senior United States District Judge